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STATE OF DELAWARE
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PUBLIC MEETING NOTICE:	CONTROLLED SUBSTANCE COMMITTEE
DATE AND TIME:	Wednesday, April 23, 2014 at 9:00 a.m.
PLACE:	Buena Vista Conference Center, Dining Room, First Floor, 661 S. DuPont Highway, New Castle, Delaware 19720
APPROVED:	August 27, 2014

MEMBERS PRESENT

Michael Kremer, DMD, Dental Representative, President
Stephen Ruggles, PA-C, PA Representative
Art Jankowski, VMD, Veterinary Representative
Luis Garcia, Jr., DPM, Podiatric Representative, Vice President
Herb E. Von Goerres, R.Ph., Pharmacy Representative
Alex Zarrow, R.Ph., Pharmacy Representative
Mark Hanna, Public Representative
David W. Dryden, R.Ph., J.D., Director Office of Controlled Substances

MEMBERS ABSENT

Jo Ann M. Baker, MSN, RN, FNP-C, Nursing Representative
Philip Kim, M.D., Medical Representative

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Christine Mast, Administrative Specialist III
Samantha Nettesheim, Pharmacist Administrator
Michelle McCreary, Pharmacy Compliance Officer
Eileen Kelly, Deputy Attorney General

ALSO PRESENT

Marc Richman, DSAMM
Jeanne Chigiorini, ACSCAN

CALL TO ORDER

Dr. Kremer called the meeting to order at 9:05 am.

REVIEW AND APPROVAL OF MINUTES

A motion was made by Mr. Von Goerres, seconded by Mr. Hanna, to approve the minutes from the February 26, 2014 meeting as presented. The motion was unanimously carried.

PRESIDENT'S REPORT

Dr. Kremer had no report and welcomed to the committee Mr. Alex Zarrow R.Ph. to the meeting.

UNFINISHED BUSINESS

Re-Review Dr. Keith Sokoloff Application –

Dr. Kremer provided the committee a brief outline of the previous review and proposal to deny hearing previously held. Mr. Dryden reported that he had verified information with the Maryland DEA and what documents were required for approval. The Maryland DEA (SAC) office was provided all documents required for their approval that were provided to Delaware. However, they were not made aware of all of the details that Delaware were aware of related to discipline previously received. Dr. Sokoloff's Maryland Controlled Substance Registration currently has no restrictions and is active. The final decision will be scheduled for the next meeting.

Prescription Monitoring Program Rules & Regulations Review

Ms. Nettesheim discussed the "Draft" rules and regulations that she provided in form of a handout. Ms. Kelly stated she would need additional time to review the draft and compare it to the statute for continuity. Mr. Dryden asked the committee to review the draft and bring forth any questions or concerns to the next scheduled meeting.

Proposal to Deny Hearing Richard P Jaskewich @ 9:15 am

Mr. Jaskewich's attorney provided written request to reschedule the hearing due to conflicting schedules. The hearing will be noticed and scheduled on August 27, 2014.

Re-Review of Dr. Rodriguez request for Registration

Ms. Kelly provided an update on the previously approved recommendation which will be presented to the Secretary of State Jeffrey Bullock for consideration.

Review of Dr. Kerner Recommendation

Ms. Kelly provided the committee with concerns regarding the tracking of employment as one stipulation of the order. The committee discussed Ms. Kelly's concerns and expressed it would be Dr. Kerner's responsibility to update the committee on any employment changes that occur. The committee requested that Dr. Kerner be placed on an audit list to be audited during renewal. Ms. Mast will add Dr. Kerner to that listing. Ms. Kelly completed the recommendation which will be presented to the Secretary of State Jeffrey Bullock for consideration.

NEW BUSINESS

DIRECTOR'S REPORT

Case/Diversion Review

Mr. Dryden new controlled substance rules were published and effective on April 11, 2014.

PMP Review

Mr. Dryden reported that Ms. Nettesheim has been working on grant proposals for NACSA and Harold Rogers grant. University of Delaware will be assisting with our data and analysis. Ms. Nettesheim is also working on future reporting capabilities for non-controls. Mr. Dryden also reminded the committee that all practitioners are required to be registered with the PMP. Ms. Kelly stated that Veterinarians are not required to register or report they are exempt. They are not allowed to dispense more than 72 hours. Ms. Kelly and Mr. Dryden will work on an alert to clarify these questions regarding Veterinarians. Mr. Jankowski will review the alert to provide additional clarification if needed.

National Disposal

Mr. Dryden reported that the next DEA Drug Disposal is scheduled for April 26, 2014 10 am to 2 pm.

Current Event Review

- New Bill aims to Curb Prescription Drug Diversion and Abuse – handout provided
- FDA Initiates the Secure Supply Chain Pilot Program to Enhance Security of Imported Drugs – handout provided
- NASCA Releases Request for Information for PDMP Enhancement Grants – handout provided
- DEA Publishes Proposed Rulemaking to Reschedule Hydrocodone Products – handout provided
- NABP Shares Pharmacy Information at Beyond the Dot 2014 Conference – handout provided
- DEA Announces Temporary Scheduling of 10 Synthetic Cathinones – handout provided
- US Attorney General Urges Increase in Accessibility of Naloxone – handout provided
- Feds probing alleged Walgreens HIPAA violations – handout provided
- DEA Prescription Drug Take-Back Day Collection Site Locator Now Available – handout provided

COMMITTEE REPORTS

Medical Examiner's Report

No report.

DEA Report

No report.

Substance Abuse Report

Mr. Richardson reported that the Naloxone/Narcan legislation will more than like be friends and family.

Law Enforcement Report

No report.

Regulatory Committee Report

No report.

Legislative Committee Report

No report however, the legislative committee will meet immediately following the Controlled Substance Committee meeting. The topics of discussion will be:

7.6.1 Registrant Crimes 16 Del. C. §4759 for discussion

7.6.2 Permit required for each Pharmacy 24 Del. C. §2526 for discussion

7.6.3 Requirements for and Issuance of Permit 24 Del. C. §2528 for discussion

7.6.4 Definitions 16 Del. C. §4701 for discussion

INSPECTION REPORT

Mr. Dryden introduced the new Pharmacy Inspector Michelle McCreary. The committee welcomed her to the meeting.

COMMITTEE CORRESPONDENCE

Washington Post Article "The Government is Right to Crack Down on Prescription Opioid Abuse" from Mr. Maher Board of Pharmacy (handout provided)

News Article from Hampton Roads.com Va. Beach Robbery Suspect ID'd (handout provided)

OTHER BUSINESS BEFORE THE BOARD

Eileen Kelly DAG discussed rules and regulations regarding veterinarians and methadone clinics. 8.0 Practitioner Dispensing of Controlled Substances. Further discussion and statute and/or rules and regulations changes may be required for Veterinarians. Ms. Kelly will provide additional draft verbiage to further clarify 8.1 and 8.1.2. This will be included with the PMP proposed changes.

PUBLIC COMMENTS

None

EXECUTIVE SESSION

No executive session was needed.

NEXT SCHEDULED MEETING

The next regular meeting will be held on Wednesday, May 28, 2014, 2014 at 9:00 am at the Buena Vista Conference Center.

ADJOURNMENT

A motion was made by Mr. Von Goerres, seconded by Mr. Ruggles, to adjourn the meeting. The motion unanimously carried. The meeting adjourned at 9:47 am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mast", with a stylized, cursive script.

Christine Mast
Administrative Specialist III
Office of Controlled Substances